

FILED

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Texas

MAR 17 2021
**CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY** *[Signature]*
DEPUTY CLERK

United States of America

)

v.

)

Case No.

DR-21-463M-01

Sebastian TOVAR

)

)

)

)

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 15, 2021 in the county of Val Verde in the
Western District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

8 U.S.C. § 1324(a)(1)(A)(v)(I) and
(B)(iv)

It shall be unlawful to knowingly and intentionally, conspire, combine, and confederate to transport and move and attempt to transport and move aliens within the United States by means of transportation and otherwise, while knowing and in reckless disregard of the fact that the aliens had come to, entered, and remained in the United States, and during and in relation to such transportation, the Defendants' conduct resulted in the death of one or more persons.

This criminal complaint is based on these facts:

See Attachment A

Continued on the attached sheet.


Complainant's signature

Israel Borup, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/17/2021


Judge's signature

Victor Garcia, United States Magistrate Judge

Printed name and title

City and state: Del Rio, Texas

Attachment A

On March 15, 2021, a trooper with the Texas Department of Public Safety (DPS) attempted to stop a maroon Dodge Ram for a traffic violation near Del Rio, Texas. The Dodge Ram failed to yield, and a pursuit ensued. The Dodge Ram fled at speeds in excess of 100 miles per hour for approximately 50 miles. The Dodge Ram ultimately traveled into the opposing lane and struck a white Ford F-150 in a head-on collision. The collision resulted in the deaths of eight (8) passengers of the Dodge Ram, who were determined to be undocumented immigrants (UDI) and illegally present in the United States (US).

After the collision, DPS troopers observed the driver, later identified as Sebastian TOVAR, flee from the Dodge Ram and abscond into the brush. TOVAR was later located near the crash-site. While at the scene, TOVAR made spontaneous utterances which implicated his involvement in the failed smuggling venture. DPS troopers also observed that TOVAR displayed injuries consistent with the deployment of a steering wheel airbag. TOVAR was transported to the DPS post in Del Rio where he made additional spontaneous utterances which implicated his involvement in the failed smuggling venture as the driver of the Dodge Ram.

After the crash, United States Border Patrol (USBP) agents encountered a tan Ford F-150 which was stopped in traffic in the northbound lane of Highway 277, near the crash-site. USBP agents instructed the driver to return south on Highway 277, however, all occupants of the Ford F-150 fled from the vehicle and absconded into the brush. USBP agents later located 12 UDIs which fled from the Ford F-150 and determined they were illegally present in the US. Two (2) of the UDIs, both citizens of Mexico, were interviewed regarding the failed human smuggling attempt. Both subjects stated they illegally crossed into the US near Eagle Pass, Texas with a group of over 20 UDIs and were divided into the maroon Dodge Ram and the tan Ford F-150 for transport. Both subjects stated one (1) of their family members had been smuggled in the maroon Dodge Ram.